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COMMISSION ON HUMAN RIGHTS
Fifty-second session
Items 8 (a) and 10 of the provisional agenda

QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT, IN PARTICULAR: TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Letter dated 5 March 1996 from the Chargé d'affaires, a.i. of the Permanent Mission of the Federal Republic of Yugoslavia to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights

Please find enclosed, for your information, the letters I have sent to H.E. Mr. Nigel S. Rodley, Special Rapporteur of the Commission on Human Rights on the question of torture and to H.E. Mr. Bacre Waly N'Diaye, Special Rapporteur of the Commission on Human Rights on extrajudicial, summary or arbitrary executions, concerning their respective reports (E/CN.4/1996/35/Add.1 and E/CN.4/1996/4) prepared for the next session of the Commission.

Would you please inform all the members of the Commission on Human Rights of the contents of the above letters, and have them circulated.

(Signed) Miroslav Milosevic
Chargé d'affaires, a.i.

GE.96-11187 (E)

Letter dated 4 March 1996 from the Chargé d'affaires, a.i. of the Permanent Mission of the Federal Republic of Yugoslavia to the United Nations Office at Geneva addressed to the Special Rapporteur of the Commission on Human Rights on the question of torture

I have carefully examined your report (E/CN.4/1996/35/Add.1), prepared for the forthcoming fifty-second session of the United Nations Commission on Human Rights, item 8 (a) of the provisional agenda.

The report contains no reference whatsoever concerning the information submitted to you by the Government of the Federal Republic of Yugoslavia, on the crimes against victims of Serb nationality, committed in Bosnia as well as in Croatia, which is unacceptable, in view of your mandate as Special Rapporteur.

You were expected, in conformity with your mandate, to react in due time concerning the information and evidence of the crimes committed against the Serbs, in particular concerning the cases of torture; even more so upon the escalation of these crimes in the aftermath of the Croatian aggression against Western Slavonia and Krajina. These crimes have been referred to by many United Nations bodies and high officials, such as the United Nations Secretary-General, United Nations Security Council, the United Nations High Commissioner for Refugees, Ms. E. Rehn, Special Rapporteur, the United Nations Commission on Human Rights, along with some other governmental and non-governmental organizations.

Bearing in mind the fact that such crimes against the Serb population went unpunished and that they are still being committed, the Government of the Federal Republic of Yugoslavia is requesting once again that, in compliance with your mandate, urgent action be taken conducive to halting crimes of torture and harassment against the Serbs, with the perpetrators being brought to justice.

I am at your disposal for any additional information you might need.

(Signed): Miroslav Milosevic
Chargé D'affaires, a.i.

Letter dated 4 March 1996 from the Chargé d'affaires, a.i. of the Permanent Mission of the Federal Republic of Yugoslavia to the United Nations Office at Geneva addressed to the Special Rapporteur of the Commission on Human Rights on extrajudicial, summary or arbitrary executions

I have carefully examined the report on your activities (E/CN.4/1996/4), prepared for the forthcoming fifty-second session of the United Nations Commission on Human Rights, under item 10 of the provisional agenda.

I have noted, regrettably, that there is no mention of "extrajudicial, summary or arbitrary executions" in Bosnia and Croatia with Serbs as victims, although you have been informed of the matter by my Government on several occasions, as well as requested to take appropriate action, as mentioned in your report.

I was particularly surprised that, in your capacity as Special Rapporteur on extrajudicial, summary or arbitrary executions, you have not reacted, nor taken relevant measures, in view of the massive crimes and murders of the Serb civilians after the Croat aggression on Western Slavonia and Krajina, despite the many United Nations statements and reports (made by the United Nations Secretary-General, the United Nations Security Council, the United Nations High Commissioner for Refugees, the Special Rapporteur, Ms. Rehn, and others).

Your inactiveness, coupled with that demonstrated by some other international forums when the killing and sufferings of the Serb population are concerned, might, directly or indirectly, further encourage the perpetrators of these crimes who, still unpunished, carry out terror against the remaining Serb civilians.

The Yugoslav Government expects that, in conformity with your mandate, indispensable measures be taken so as to force the Bosnian and Croatian authorities to halt such crimes immediately and to bring the perpetrators to justice.

In expecting your concrete and immediate action, I remain at your disposal for any assistance and additional information.

(Signed) Miroslav Milosevic
Chargé d'affaires, a.i.